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Francis G. Slay
Mayor
City of St. Louis

Rhonda Hamm-Niebruegge
Director

February 20, 2013

CERTIFIED MAIL

Jo Lynn White
Bridgeton Landfill LLC
Rock Road Industries, Inc.
Bridgeton Transfer Station, LLC
15880 N. Greenway-Hayden Loop
Suite 100
Scottsdale, AZ 85260

Sean Torrey
Environmental Manager
Republic Services
Bridgeton Landfill LLC
13570 St. Charles Rock Road
Bridgeton, MO 63044

Re: Negative Easement and Declaration of Restrictive Covenants Agreement
Lambert-St. Louis International Airport

Dear Ms. White and Mr. Torrey:

This letter is to notify you that The City of St. Louis ("City"), the owner and operator of Lambert St. Louis International Airport ("Airport") believes certain of the activities conducted by Bridgeton Landfill LLC, in responding to odors, are being performed in violation of the Negative Easement and Declaration of Restrictive Covenants Agreement with the City, dated April 6, 2005 ("Airport Easement"). The Airport Easement provides that there shall be no new or additional dumping or depositing of Putrescible Waste above, upon, on or under the landfill property. The purpose of the Airport Easement is to reduce or mitigate the serious potential harm to flight activities at the Airport that could be caused by wildlife or birds on or from the landfill property. This easement was mandated by the FAA Record of Decision for the Airport and the Airport is required to enforce it.

In recent e-mail correspondence received by Airport staff from the landfill staff, and from a review of your Bridgeton Landfill website, we learned of the large scope of the ongoing and proposed actions at the landfill. These actions include digging and therefore clearly must have involved and will continue to involve exposing and depositing Putrescible Waste on the landfill property in violation of the Airport Easement.

The Airport is prepared to meet, without delay, to discuss the specifics of the risks posed by these activities and to work out a mechanism to move forward without violating the terms of the Airport Easement.

Exposing and depositing Putrescible Waste at the landfill could create an attractant for birds and other wildlife and that this activity cannot be conducted in the vicinity of the Airport. The Airport understands Bridgeton Landfill must address the odors from the landfill, however if the plan to address the odors involves digging into the landfill, removing and depositing Putrescible Waste, the Airport has an aviation safety concern. The Airport will bring in wildlife specialists from the U.S. Department of Agriculture ("USDA") to conduct a study, and involve the FAA so that any activities conducted will be sensitive to and ensure the safety of air traffic near the Airport. We are aware that Bridgeton Landfill needs to work quickly on odor issue, but the very real safety issues for the Airport cannot be ignored.

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We request that any depositing or dumping of Putrescible Waste above, upon, or on the landfill property (whether in containers, on tarps, in trucks, or otherwise) cease and the discussions commence immediately with the Airport regarding any remediation plans.

Please call my office at (314) 551-5008 to schedule the meeting date.

Sincerely,



Cornell F. Mays, AIA
Airport Deputy Director
Planning & Development

cc: **Environmental Protection Agency**

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